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VIA CM/ECF

Ms. Tammi M. Hellwig
Clerk of Court
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: Application for Issuance of Administrative Subpoena Pursuant to 35 U.S.C. § 24
Coachella Music Festival, LLC v. Ulysse, No. 1:25-mc-00205

Dear Ms. Hellwig:

This firm represents Coachella Music Festival, LLC (“Coachella”) in *Coachella Music Festival, LLC v. Marjorie Ulysse*, Opposition No. 91291853, a contested case in the U.S. Patent and Trademark Office before the Trademark Trial and Appeal Board.

Parties to contested cases in the United States Patent and Trademark Office must request subpoenas for non-parties from the clerk of the U.S. District Court where the non-party resides. 35 U.S.C. § 24. However, unlike in a typical civil action, subpoenas in such contested cases cannot be issued pursuant to Fed. R. Civ. P. 45 by an attorney admitted to practice in the issuing district and must instead be issued by the Clerk of Court in the district where the non-party resides. *Id.* (“A judge of a court whose *clerk issued* a subpoena may enforce obedience to the process or punish disobedience”) (emphasis added); *see also Waterdrop Microdrnk GMBH v. Qingdao Ecopure Filter Co., Ltd.*, No. 2:23-mc-123, 2024 WL 277461, at *4 (C.D. Cal. Jan. 18, 2024) (“the language of [35 U.S.C.] Section 24 is unequivocal and does not authorize an attorney to issue a subpoena”).

Accordingly, Coachella respectfully applies to the Clerk of this Court to issue the attached subpoena to Wix.com Inc., a corporation residing in this district, pursuant to 35 U.S.C. § 24.

Sincerely,

TUCKER ELLIS LLP

/s/Maha M. Kabbash

Maha M. Kabbash